

05-13-2003

Our Ref: 1476-7/MBE

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102446547

The Honorable Commissioner
of Patents and Trademarks

Dear Sir:

Please record the attached original documents or copy thereof.

1c996 U.S. PRO
10/430303
05/07/03

1. Name of conveying party(ies): John W. McGivery 5-7-03		2. Name and address of receiving party(ies): Name: ENBRIDGE TECHNOLOGY INC. Internal Address: Street Address: 3000, 425-1st Street SW Calgary, Alberta Canada T2P 3L8				
Additional names(s) of conveying party attached [] yes [X] no		Additional names(s) and addresses attached [] yes [X] no				
3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other		Execution Date: April 25, 2003				
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: Apr. 25, 2003 <table border="0" style="width:100%"> <tr> <td style="width:50%"> A. Patent Application No.(s) 10430303 </td> <td style="width:50%"> B. Patent No.(s) </td> </tr> </table> Additional numbers attached? [] yes [X] no				A. Patent Application No.(s) 10430303	B. Patent No.(s)	
A. Patent Application No.(s) 10430303	B. Patent No.(s)					
5. Name and address of party to whom correspondence concerning documents should be mailed: MARK B. EISEN 20 Queen St. W., Suite 3202, Box 102 Toronto, Ontario Canada M5H 3R3		6. Total number of applications and patents involved: 1				
7. Total fee (37 CFR 3.41): \$ 40.00 <input checked="" type="checkbox"/> Enclosed (<i>included with check for filing fee</i>) <input type="checkbox"/> Authorized to be charged to deposit account <input checked="" type="checkbox"/> Authorized to charge any deficiency or credit any overpayment to deposit account		8. Deposit account number: 500663. (Attach duplicate copy of this page if paying by deposit account)				
DO NOT USE THIS SPACE						
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.</i> <table border="0" style="width:100%"> <tr> <td style="width:33%"> Mark B. Eisen Name of Person Signing </td> <td style="width:33%"> Signature </td> <td style="width:33%"> May 6, 2003 Date </td> </tr> </table> Total number of pages including cover sheet: 2				Mark B. Eisen Name of Person Signing	 Signature	May 6, 2003 Date
Mark B. Eisen Name of Person Signing	 Signature	May 6, 2003 Date				

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ASSIGNMENT

Whereas **John W. McGivery**, whose full post office address is 3 Rosita Crescent, Scarborough, Ontario, Canada M1L 1X7 (the "Assignor"), has invented certain new and useful improvements in a

EXCAVATION SYSTEM AND METHOD

("the Invention") as fully set forth and described in an application for patent filed in Canada on December 13, 2002; and in a United States patent application executed on the date of execution of this assignment;

And whereas **ENBRIDGE TECHNOLOGY INC.**, a corporation of Canada having its head office or principal place of business at 3000, 425-1st Street SW, Calgary, Alberta, Canada T2P 3L8 (the "Assignee"), has acquired from the Assignor all right, title and interest in and to the Invention for all countries throughout the world, including the right to obtain and hold patents therefor;

Therefore, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Assignor hereby assigns and transfers to the Assignee, and confirms that he has assigned and transferred to the Assignee, all right, title and interest in and to the Invention and in and to any patent for the Invention, and any patent application for the Invention, including any divisional or continuation application, whether presently pending or filed in the future, for all countries throughout the world.

The Assignor hereby agrees to execute without further consideration such further documentation as may be required to obtain any patent for the Invention and to vest rights in any patent or patent application for the Invention in the Assignee.

WITNESSED at TORONTO CANADA, on APR. 25 - 2003.
(City/Town, Country) (Date)

Witness:

John W. McGivery

x J. Marshall
(signature of witness)

John W. McGivery
(signature of inventor)

DECLARATION OF SUBSCRIBING WITNESS

I, JOHN MARSHALL of TORONTO CANADA
(City/Town, Country)

declare that I was personally present and did see **John W. McGivery** who is personally known to me to be the person named in the attached Assignment duly sign and execute the same.

J. Marshall
(signature of witness)

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